



General Assembly

Substitute Bill No. 341

February Session, 2010

* ____SB00341TRA__031510__ *

**AN ACT CONCERNING THE LICENSING OF DRIVERS' SCHOOLS
AND DRIVING INSTRUCTORS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-69 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) No person shall engage in the business of conducting a drivers'
4 school without being licensed [therefor] by the [commissioner]
5 Commissioner of Motor Vehicles. [Application therefor] An
6 application for a license shall be in writing and shall contain such
7 information as the commissioner requires. Each applicant for a license
8 shall be fingerprinted before such application is approved. The
9 commissioner shall subject each applicant for a license or the renewal
10 of a license to state and national criminal history records checks
11 conducted in accordance with section 29-17a, and a check of the state
12 child abuse and neglect registry established pursuant to section 17a-
13 101k. If any such applicant has a criminal record or is listed on the
14 state child abuse and neglect registry, the commissioner shall make a
15 determination of whether to issue or renew a license to conduct a
16 drivers' school in accordance with the standards and procedures set
17 forth in section 14-44 and the regulations adopted pursuant to said
18 section. If the application is approved, the applicant shall be granted a
19 license upon the payment of a fee of three hundred fifty dollars and a

20 deposit with the commissioner of cash or a bond of a surety company
21 authorized to do business in this state, conditioned on the faithful
22 performance by the applicant of any contract to furnish instruction, in
23 either case in such amount as the commissioner may require, such cash
24 or bond to be held by the commissioner to satisfy any execution issued
25 against such school in a cause arising out of failure of such school to
26 perform such contract. For each additional place of business of such
27 school, the commissioner shall charge a fee of eighty-eight dollars. No
28 license shall be required in the case of any board of education, or any
29 public, private or parochial school, which conducts a course in driver
30 education established in accordance with sections 14-36e and 14-36f. A
31 license so issued shall be valid [during the calendar year] for one year.
32 [The annual fee for renewal shall be the same amount and the same
33 deposit of security shall be required.] The commissioner shall issue a
34 license certificate or certificates to each licensee, one of which shall be
35 displayed in each place of business of the licensee. In case of the loss,
36 mutilation or destruction of a certificate, the commissioner shall issue a
37 duplicate upon proof of the facts and the payment of a fee of twenty
38 dollars.

39 (b) The annual fee for the renewal of a license shall be three
40 hundred fifty dollars and the annual renewal fee for each additional
41 place of business shall be eighty-eight dollars. If the commissioner has
42 not received a complete renewal application and all applicable renewal
43 fees on or before the expiration date of an applicant's license, the
44 commissioner shall charge such applicant, in addition to such renewal
45 fees, a late fee of three hundred fifty dollars.

46 Sec. 2. Section 14-73 of the general statutes is repealed and the
47 following is substituted in lieu thereof (*Effective October 1, 2010*):

48 (a) No person shall be employed by any such school licensee to give
49 instruction in driving a motor vehicle unless such person is licensed to
50 act as an instructor by the commissioner.

51 (b) Application for an instructor's license shall be in writing and

52 shall contain such information as the commissioner requires. [The]
53 Each applicant for a license shall be fingerprinted and shall furnish
54 evidence satisfactory to the commissioner that such applicant (1) is of
55 good moral character considering such person's state and national
56 criminal [record] history records checks conducted in accordance with
57 section 29-17a, and record, if any, on the state child abuse and neglect
58 registry established pursuant to section 17a-101k. [, as obtained and
59 reviewed by the commissioner in accordance with the standards of
60 section 14-44;] If any applicant for a license or the renewal of a license
61 has a criminal record or is listed on the state child abuse and neglect
62 registry, the commissioner shall make a determination of whether to
63 issue or renew an instructor's license in accordance with the standards
64 and procedures set forth in section 14-44 and the regulations adopted
65 pursuant to said section; (2) has held a license to drive a motor vehicle
66 for the past four consecutive years and has a driving record
67 satisfactory to the commissioner, including no record of a conviction or
68 administrative license suspension for a drug or alcohol-related offense
69 during such four-year period; (3) has had a recent medical examination
70 by a physician licensed to practice within the state and the physician
71 certifies that the applicant is physically fit to operate a motor vehicle
72 and instruct in driving; (4) has received a high school diploma or has
73 an equivalent academic education; and (5) has completed an instructor
74 training course of forty-five clock hours given by a school or agency
75 approved by the commissioner, except that any such course given by
76 an institution under the jurisdiction of the board of trustees of the
77 Connecticut State University System [must] shall be approved by the
78 commissioner and the State Board of Education. During the period of
79 licensure, an instructor shall notify the commissioner, within forty-
80 eight hours, of an arrest or conviction for a misdemeanor or felony, or
81 an arrest, conviction or administrative license suspension for a drug or
82 alcohol-related offense.

83 (c) The commissioner may deny the application of any person for an
84 instructor's license if he determines that the applicant has made a
85 material false statement or concealed a material fact in connection with

86 his application for the instructor's license.

87 (d) The commissioner shall conduct such written, oral and practical
88 examinations as he deems necessary to determine whether an
89 applicant has sufficient skill in the operation of motor vehicles to
90 ensure their safe operation, a satisfactory knowledge of the motor
91 vehicle laws and the ability to impart such skill and knowledge to
92 others. If the applicant successfully completes the examinations and
93 meets all other requirements of this section, the commissioner shall
94 [cause him to be fingerprinted and shall] issue [to him] an instructor's
95 license to such applicant. The license shall be valid for use only in
96 connection with the business of the drivers' school or schools listed on
97 the license. If the applicant fails the examination, [he] such applicant
98 may apply for reexamination after [three months have elapsed] one
99 month. The license and the license renewal shall be valid for [the
100 calendar] one year, [within which it is issued, and renewals shall be for
101 succeeding calendar years.]

102 (e) The licensee shall be reexamined periodically in accordance with
103 standards specified in regulations adopted under section 14-78, as
104 amended by this act. Persons licensed for the first time as instructors
105 shall, in the three years following their initial licensure, attend
106 seminars, annually, in traffic safety sponsored by the Department of
107 Motor Vehicles or take an advanced instructor course of not less than
108 forty-five clock hours in traffic safety [. The course shall have been]
109 approved by the commissioner. Proof of compliance with the
110 requirement for attendance at seminars or the taking of instruction
111 shall be made before license renewals are issued. The seminars shall be
112 self-sustaining.

113 (f) The commissioner may establish, by regulations adopted in
114 accordance with the provisions of chapter 54, standards and
115 procedures for the training and licensing of master instructors who are
116 qualified to train driving instructors. The provisions of subsection (b)
117 of this section and section 14-74, as amended by this act, shall apply to
118 master instructors.

119 ~~[(f)] (g)~~ The fee for an instructor's license, or for any renewal thereof,
120 shall be fifty dollars. The fee for a master instructor's license, or for any
121 renewal thereof, shall be one hundred dollars. If the commissioner has
122 not received a complete renewal application and fee on or before the
123 expiration date of an applicant's license, such applicant shall be
124 charged, in addition to the renewal fee, a late fee in an amount equal to
125 the fee for such applicant's license.

126 Sec. 3. Section 14-74 of the general statutes is repealed and the
127 following is substituted in lieu thereof (*Effective from passage*):

128 The commissioner may suspend, revoke or refuse to renew any
129 instructor's license if: ~~[(a)]~~ (1) The licensee has made a material false
130 statement or concealed a material fact in connection with his
131 application for the license or any renewal thereof; ~~[(b)]~~ (2) the licensee
132 has failed to comply with any of the provisions of [this] part IV of
133 chapter 246 or any of the regulations [of] adopted by the
134 commissioner, [establishing instructional standards of procedure,] in
135 accordance with the provisions of chapter 54, pursuant to said part IV;
136 or ~~[(c)]~~ (3) the licensee has been guilty of fraud or fraudulent practices
137 in relation to securing for himself or another a license to drive a motor
138 vehicle.

139 Sec. 4. Section 14-78 of the general statutes is repealed and the
140 following is substituted in lieu thereof (*Effective from passage*):

141 The commissioner may adopt regulations, in accordance with
142 chapter 54, for (1) the conduct of drivers' schools, including, but not
143 limited to, requirements as to the inspection of the vehicles used by the
144 drivers' schools in the conduct of their business, instructional
145 standards and procedures, including instruction of not less than fifteen
146 minutes concerning the responsibilities of an operator of a motor
147 vehicle under subsection (b) of section 14-223 and the penalty for a
148 violation of the provisions of said subsection (b), the posting of rates
149 charged for instruction, and the general form in which records shall be
150 kept concerning persons under instruction and those who have

151 completed their course of instruction, and (2) the establishment of
 152 requirements for a person to receive a license as an instructor in
 153 accordance with section 14-73, as amended by this act. [The regulations
 154 shall require that the commissioner issue a license to any person who
 155 meets the requirements of section 14-73 to act as an instructor in a
 156 classroom only, and not as an instructor behind the wheel of a vehicle,
 157 provided (A) the person has sufficient experience, as specified in the
 158 regulations, either in public safety, including, but not limited to,
 159 experience as a police officer or firefighter, or as a teacher, and (B) the
 160 person completes instructor training, as specified in the regulations]
 161 On and after October 1, 2010, the commissioner shall not issue a license
 162 that is limited to classroom instruction. Any person who was issued
 163 such limited license prior to October 1, 2010, may maintain and renew
 164 such license.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	14-69
Sec. 2	<i>October 1, 2010</i>	14-73
Sec. 3	<i>from passage</i>	14-74
Sec. 4	<i>from passage</i>	14-78

TRA *Joint Favorable Subst.*